

TABITHA NICEWANER.

LETTER FROM THE ASSISTANT CLERK OF THE COURT OF CLAIMS,
TRANSMITTING A COPY OF THE FINDINGS FILED BY THE
COURT IN THE CASE OF TABITHA NICEWANER AGAINST THE
UNITED STATES.

JANUARY 18, 1902.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 16, 1902.

SIR: Pursuant to the order of the court, I transmit herewith a certified copy of the findings filed by the court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Hon. DAVID B. HENDERSON,
Speaker of the House of Representatives.

[Court of Claims. Congressional, No. 9481. *Tabitha Nicewaner v. The United States.*]

This case being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that Tabitha Nicewaner, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed May 14, 1900.

[Court of Claims. Congressional case No. 9481. *Tabitha Nicewaner v. The United States.*]

STATEMENT OF CASE.

The claim in the above-entitled case, for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims, House of Representatives, on the 4th day of June, 1896.

On a preliminary inquiry the court, on the 14th day of May, 1900, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 10th day of December, 1901. G. W. Z. Black, esq., appeared for claimant, and the Attorney-General, by John Q.

Thompson, esq., his assistant and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in her petition makes the following allegations:

That she is a citizen of the United States, residing in Jefferson County, State of West Virginia, where she resided during the late war of the rebellion; that at different times during said period the United States forces, by proper authority, took from her quartermaster stores and commissary supplies of the value of \$175.20, and appropriated the same to the use of the United States Army, as follows:

1 horse	\$150.00
Taken by General Kane's command, September, 1862.	
720 rails, 7½ cords, at \$3.50	25.20
Taken November, 1863, by Twentieth Connecticut Regiment.	
Total	175.20

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDING.

There was taken from the claimant in Jefferson County, State of West Virginia, during the war of the rebellion, by the military forces of the United States, for the use of the Army, property as above described which at the time and place of taking was reasonably worth the sum of one hundred and twenty-one dollars (\$121).

It does not appear that payment has been made for any part thereof.

BY THE COURT.

Filed January 6, 1902.

A true copy.

Test, this 16th day of January, A. D. 1902.

[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.